



Entered on Docket  
November 22, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

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HSBC Bank USA, National Association as Trustee for MortgageIT Securities Corp. Mortgage Loan  
Trust, Series 2007-1, Mortgage Pass-Through Certificates  
09-72609

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:  Magellan Aquino	Bk Case No.: 09-16221-bam  Date: 11/9/2010 Time: 1:30 pm  Chapter 13
Debtor	

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
Secured Creditor HSBC Bank USA, National Association as Trustee for MortgageIT Securities Corp.

1 Mortgage Loan Trust, Series 2007-1, Mortgage Pass-Through Certificates, its assignees and/or  
2 successors in interest, of the subject property, generally described as 9703 Ventura Mountain St., Las  
3 Vegas, NV 89178

4 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
5 Debtor at least seven business days' notice of the time, place and date of sale.  
6

7 **Submitted by:**

8 **WILDE & ASSOCIATES**

9 By:  #10235

10 **Gregory L. Wilde, Esq.**  
Attorney for Secured Creditor

11 **APPROVED / DISAPPROVED**

12 By: \_\_\_\_\_  
13 David Krieger  
Attorney for Debtor(s)

14 **APPROVED / DISAPPROVED**

15 By: \_\_\_\_\_  
16 Kathleen A. Leavitt  
17 Chapter 13 Trustee  
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1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately  
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
6 any unrepresented parties who appeared at the hearing, and each has approved or  
7 disapproved the order, or failed to respond, as indicated below [list each property and  
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the  
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the  
11 order.

12 Debtor's counsel:

13 ☐ approved the form of this order ☐ disapproved the form of this order

14 ☐ waived the right to review the order and/or ☒ failed to respond to the document

15 ☐ appeared at the hearing, waived the right to review the order

16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☐ approved the form of this order ☐ disapproved the form of this order

19 ☐ waived the right to review the order and/or ☒ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order

26 ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor